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JOHN M. BARROWS
EXECUTIVE DIRECTOR

January 13, 2009

Sen. Donald Steinbeisser, Chairman
Members
Senate Agriculture, Livestock and Irrigation Committee

My name is John Barrows, Executive Director of the Montana Newspaper Association, which represents Montana's 89 daily and weekly newspapers.

Our concern with this bill centers on its substitution, for a properly published public notice, a department web site and posting of a notice of an estray in Sheriff's Offices and livestock market brand office.

We have no concern with the additional information as provided in this bill, in fact we welcome it. The more public information that is made available, in a situation such as this, the better.

However, we worry about the removal of the very notice, one that has been properly published in a locally applicable newspaper, that is and has been since the formation of this state, which is legally accepted in any court.

There are important reasons that a published newspaper notice should form the foundation of any issue requiring proper public notice.

According to the Public Notice Resource Center, a national organization that compiles state public notice laws, there are four principal reasons for a published public notice:

A public notice is published in a forum independent of the government, such as a local newspaper.

A public notice is capable of being archived in a secure and publicly available format.

A public notice is capable of being accessed by all segments of society.

The public and the source of the notice must be able to verify that the notice was published, and its information disseminated to the public.

These are important reasons for the continuing of the use of the newspaper as a source of public notice for estrays. Reliance on only an agency website and notices in specific government offices restrict the access of the general population from such information. Importantly, they are totally under the control of the agency, and as such, there is no independent forum; there is no public archiving (as available through the local newspaper); it is available only to those specifically looking for such information and there is no independent verification, through sworn affidavits of publication.

The cost of public notice is surprisingly low, set at a maximum of \$11 100 words for the first publication and \$9 for subsequent publication, regardless of the size of the newspaper. And it appears from the current law, such costs can be assessed either against the owner when the estray is claimed, or recovered with sale of the estray.

Now it is fashionable to call newspapers obsolete, but nothing is farther from the truth. Newspapers are still the primary resource for the general public in obtaining their news and advertising.

In a recent survey, conducted by Pulse Research of Seattle, Washington, a nationally recognized media survey firm, of Montana, newspapers are still ranked exceedingly high as the place Montanans turn to for news and advertising.

For instance, seven out of 10 Montanans (18 and older) in weekly newspaper markets had read that week's issue, and eight out of 10 in daily markets had read that day's copy of the paper.

Approximately two people reach each copy of a newspaper, expanding the reach of each issue over and above those actually sold or distributed.

An interesting figure, belying the old saying that no one reads public notices, is that 55 percent of Montanans read such notices sometimes or regular... only two out of 10 say they never read them.

And even more importantly, 85 percent of those surveyed said they believe state and local government should be required to publish legal and public notices in the newspaper on a regular basis.

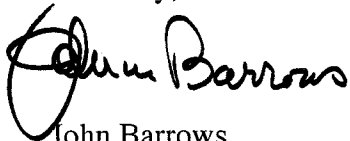
Collectively, Montana newspapers have a total of over 400,000 circulation. Over 188,000 subscribe to a daily newspaper and over 214,000 to a weekly newspaper. That is a remarkable for any type of advertising, including public notices.

In addition many newspapers maintain their own websites, which are heavily visited, adding even more additional readers. The Montana Newspaper Association maintains a free web site, PublicNoticeAds.com, which is made available to Montana newspapers to additionally post all of their public notice ads in an easy, fully searchable data basis. Approximately half of Montana's newspapers are currently posting these ads, and the others are in the process of adding their ads to the service. This is plus distribution for public notice ads, at no additional cost to the agency.

Public notice is an important part of government transparency. Published notices have served Montanans well for over 140 years and continue to do so everyday.

While we appreciate the additional notice requirements, we ask that the bill not eliminate the foundation of public information, the published notice.

Sincerely,

A handwritten signature in black ink, appearing to read "John Barrows". The signature is fluid and cursive, with the first name "John" and last name "Barrows" clearly distinguishable.

John Barrows
Executive Director

9 out of 10

Montanans ranked their local newspaper from "average to good" in caring for the people in their area...

6 out of 10

Montanans ranked their local newspaper "above average" in caring for the people in their area...

85% of Montanans

believe state and local government should be required to publish legal and public notices in the newspaper on a regular basis...

55% of Montanans

frequently or sometimes read legal and public notices. Only 2 out of 10 never read them...

Each issue has multiple readers...

1.97 persons
read each issue of their weekly paper

2.13 persons
read each issue of their daily paper

7 out of 10

households have visited their local newspaper's website...

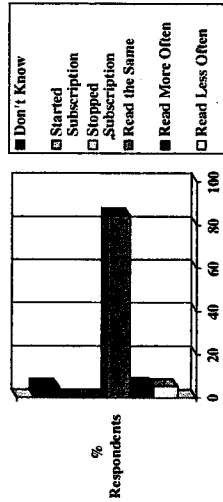


For more information contact your local newspaper or the Montana Newspaper Association, 1-800-325-8276 or by e-mail at mtnews@mtnewspapers.com

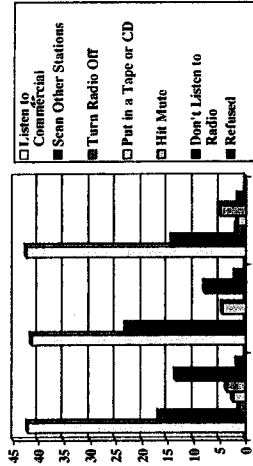
6 out of 10

Internet users visit their local newspaper website at least once a month

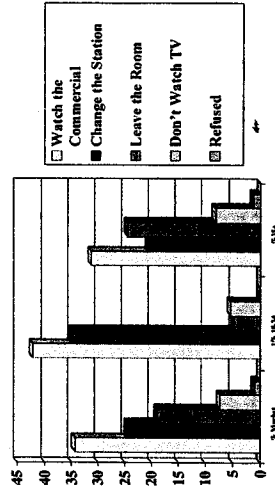
The newspaper's website attracts new viewers... but not at the expense of current newspaper readers...



When a commercial comes on the radio, 6 out of 10 Montanans tune it out...



When a commercial comes on the TV, 7 out of 10 Montanans aren't watching...

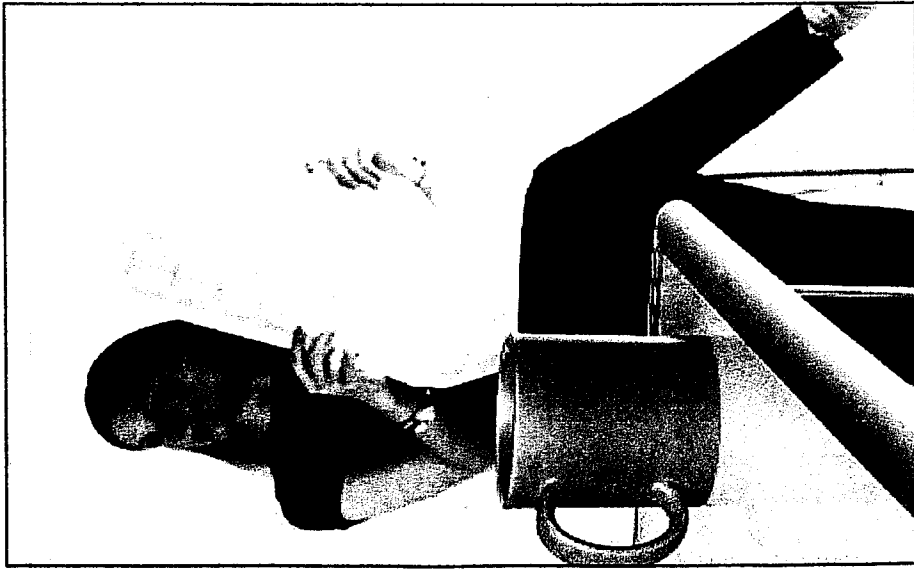


MARKETING AND READERSHIP INFORMATION

MONTANA NEWSPAPER ASSOCIATION

MONTANA'S NEWSPAPERS
CONTACT!
REACHING MONTANANS WHERE THEY LIVE

Montana's Newspapers
Still Montanan's first place to see, hear, express themselves...



Like coffee in the morning...

Montanans look to their newspapers for news, views and shopping information. And they've been doing it for over 140 years!

8 out of 10

Montana adults read at least one newspaper a week, and consistently make their local newspaper their primary source for local news and shopping information!

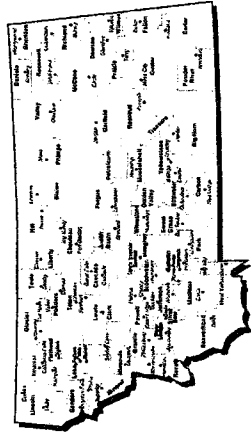
MONTANA'S NEWSPAPERS

CONTACT!

REACHING MONTANANS WHERE THEY LIVE

In April 2008, Pulse Research of Portland, Oregon, conducted a statewide survey of Montanans ages 18 and over, asking questions about their media use.

The survey, with 400 respondents, was commissioned by the Montana Newspaper Association. The results show the continuing impact of local newspapers on Montanans... both in news and shopping information.



From Ekalaka to Libby,
from Scobey to Dillon...

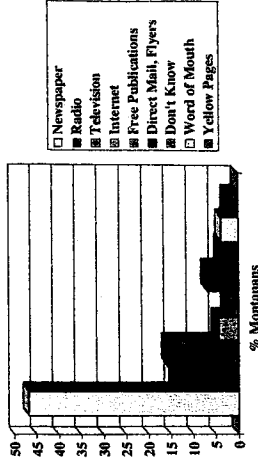
No matter where you live in Montana, your local newspaper is there... bringing you the facts and information you need...

89 local newspapers, from the
Jordan Tribune to the Billings
Gazette, keep Montanans informed!

402,992 total circulation

188,667 daily circulation

214,325 weekly circulation



Montanans prefer newspapers
3-1 over TV, Radio
as their primary source
for local shopping information...

7 out of 10

Montanans in weekly newspaper markets had read that week's copy of the paper...

8 out of 10

Montanans in daily newspaper markets had read that day's copy of the paper...

9 out of 10

Montanans ranked their local newspaper from "average to good" in keeping them informed about news in their local area...

6 out of 10

Montanans ranked their local newspaper "above average" in keeping them informed about local news...

8 out of 10

Montanans ranked their local newspaper from "average to good" in providing community leadership...

Nearly 4 out of 10

Montanans ranked their local newspaper above "average" in providing community leadership...